

SCOTT ERIK ASPHAUG, OSB #833674  
United States Attorney  
District of Oregon  
**KATHERINE A. RYKKEN, CAB #267196**  
Assistant United States Attorney  
[Katherine.Rykken@usdoj.gov](mailto:Katherine.Rykken@usdoj.gov)  
1000 SW Third Avenue, Suite 600  
Portland, OR 97204-2902  
Telephone: (503) 727-1000  
Attorneys for United States of America

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**TONY DANIEL KLEIN,**  
**Defendant.**

**No. 3:22-CR-00084-SI**

**GOVERNMENT’S OPPOSITION TO  
DEFENDANT’S MOTION TO  
MODIFY CONDITIONS OF  
PRETRIAL RELEASE**

Defendant requests that the court remove the pretrial release condition that prohibits defendant Tony Daniel Klein (“Klein” or “defendant”) from owning or possessing firearms or other weapons. (ECF 13 or the “Motion.”) The government objects to the removal of this condition. During his initial appearance, defendant did not object to the imposition of this condition, which was added at the government’s request.

Defendant now points to a desire to hunt for food as a reason to remove the firearm condition. (*See* ECF 13-1 ¶ 6.) But Klein’s desire to hunt was known to him at the time of his initial appearance and should not now be the basis to modify the condition. The government is

concerned that Klein's desire for a firearm could result in violence to others or himself, as suggested by his reference to threats he has received since being charged in this case. (*Id.* ¶ 7.) Klein is charged with sexually assaulting a dozen female inmates at Coffee Creek Correctional Facility while he was a nurse at the prison. Klein is also charged with several counts of perjury related to deposition testimony given in civil suits. It is not uncommon that defendants like Klein become depressed and hurt themselves: along with significant press attention, defendant is facing life sentences for these sex offenses after having worked in the corrections setting and is also confronting the prospect of becoming an inmate himself. Moreover, many of the twelve victims that Klein is alleged to have sexually assaulted still live in Oregon and have a right to be safe from the fear that Klein has easy access to firearms.

Based on the foregoing, the government respectfully requests that the Court deny the Motion.

DATED: April 14, 2022

Respectfully submitted,

SCOTT E. ASPHAUG  
United States Attorney

/s/ Katherine A. Rykken  
KATHERINE A. RYKKEN  
Assistant United States Attorney